[Shri H: Hanumanthappa]

under the purview of this Commission so that they call for the persons also. It should also function as a monitoring agency. Even about monitoring in the case of Scheduled Castes and Scheduled Tribes also, we have seen what has happened. Sir, I give you one example of a circular about backlog. Even the implementation portion of it is an eye-wash. Even the interpretation of backlog is in doubt. During the Babasaheb Ambedkar's Centenary, the Government came out with a plan telling that we would fill up all the backlog. Interpretation of backlog itself is still in doubt. DPAR interprets in a different way, the Liaison Officers interpret in a different way. They created confusion. Correspondence of fixing up the backlog number itself has taken months and years. Even today, if two officers are sitting in a meeting and if this question is posed to them, they will come out with different connotation, different calculation and different interpretation about this backlog. So, unless these things are clarified, the very purpose of the Bill will be defeated. the very purpose of the intention of the Government to give the benefits to the Backward Classes will be defeated unless we are very clear about this. So, I request the Government to come out with an amendment to this Clause (9) as early as possible so that the monitoring powers and the implementation powers are also included in it. Of course, one sitting or a retired Judge will be the Chairman of this Commission. Sitaram Kesariji said while introducing the Bill that there will be a sociologist and people from public life and also from public life and also from the judiciary so that it will be a competent Commission. Give them more powers so that what we feel or what we think about helping the Backward Classes will be translated into action. I hope the Government will come forward with these modifications and with further amendments to this. Not only that. The Government should not stop at just creating the Commission and sitting quiet. Sir, I give you one example. Last year, we constituted a Statutory Commission in the case of Scheduled Castes and Scheduled Tribes. What is it doing? I think, one year is over. The country or the House should expect a report from them. A lot of atrocities have been committed. The Commission has not visited those places, nobody has been hauled up, no notices have been issued. Even the Commission or the Chairman has visited Kumher, Tsundur and wherever the atrocities have taken place. The Commission has not gone there, has not verified, and no action has been taken. So, if you just create a Commission and forget about it, if you create a Backward Classes Commission and forget about it, then we are not doing justice to the Classes that are expecting the results from such Commissions. So, I must say that the Government's duty does not end with the mere formation of the Commission and entrusting it with some function. There should be a constant watch and monitoring to see whether the Commission functions properly and whether the intention of the Government is being properly translated into action.

THE VICE-CHAIRMAN (SYED SIBTEY RAZI): Shri Ratna Bhadur

RE. GAS LEAKAGE IN KALYAN AND THANE

SHRI JAGDESH DESAI (Maharashtra): Before you call the next speaker, I would like to give this information which I have just received that in Kalyan and Thane, there has been a gas leak and 41 persons have died and many have been injured and their condition is very serious. I would like the Minister to come here and tell us about it. After the Bhopal gas leak tragedy, this thing has happened. We would like to know the action being taken by the Government to prevent such things. I think the Minister should come and give us the facts as to what has really happened so that we know the details. After the Bhopal gas leak, it is very unfortunate that another similar incident has taken place.

THE VICE-CHAIRMAN (SYED SIBTEY RAZI): I think the Government will take note of it and inform the House about the tragedy.

SHRI YASHWANT SINHA (Bihar): Sir, the Minister of State has come back. Has he been able to find out when the statement will be made?

THE VICE-CHAIRMAN (SYED SIBTEY RAZI): He has sent a message and we should expect the Home Minister any moment.

SHRI YASHWANT SINHA: But we should know for certain. It is 5 o'clock already.

THE VICE-CHAIRMAN (SHRI SYED SIBTEY RAZI): Has the hon. Minister of State for Foreign Affairs got any information?

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI SALMAN KHURSHEED): I think the Minister will be here shortly.

I. Statutory Resolution seeking disapproval of the National Commission for Backward Classes Ordinance, 1993, and

II. The National Commission for Backward Classes Bill, 1993—Contd.

THE VICE-CHAIRMAN (SYED SIBTEY RAZI): Shri Ratna Baadur Rai.

SHRI RATNA BAHADUR RAI (West Bengal): Sir, it is quite clear in the Bill presented that it has sought to add an enactment to the Statute Book for constituting a National Commission for Backward Classes other than Scheduled Castes and Scheduled Tribes, as per the directives of the Supreme Court for the implementation of its judgement of 16th November, 1992. As stated in the Statement of Objects and Reasons of the Bill, the Commission as a permanent body will entertain and examine and recommend upon request made to it for inclusion and complaints of over-inclusion in the lists of Backward Classes. It will also consult the Government in the matter of such lists.

While defining the functions and powers of this Commission, the Bill has tried to impress that the Commission will not be a merely advisory body; rather, its advice shall ordinarily be binding upon the Central Government, as rightly pointed out by my colleague, Mr. Jethmalani, though compulsorily.

It is a well-known fact that this Bill has not attained this stage spontaneously or due ot he wishful thinking of a section of the people. But a protracted and tortuous struggle of the weaker sections with the support of a strong democratic movement has pushed the process to such a course.

The struggle of this weaker, neglected and ever-suppressed section of the people had to undergo bitter experiences. Privileged people never submit to sharing the cream of their fortune with their fellowmen languishing for a crumb. Hence, sometimes we witnessed violent confrontations engulfing the whole nation and mutual hatred percolating downwards endangering the ethos of our social fabric. However, we have withstood the turbulent times of our trials and have succeeded in giving this vexed problem a democratic channel. Constitutional shape a legal content and a humane face. Hence, better late than never. I welcome this Bill. While supporting this, I would like to make some observations. In the series of formation of a number of committees/bodies such as the National Scheduled Castes and Scheduled Tribes Finance Development Corporation, the National Backward Classes Finance Development Corporation, National Commissions for Minorities including the Kaka Galelkar and Mandal Commissions, this enactment which seeks to set up a National Commision for Backward Classes will furher strengthen the process of rendering justice to the neglected lot of our society. This will greatly help in determining the genuine sections of the people through proper procedures.